

~~UNITED STATES DISTRICT COURT~~
 DISTRICT OF NEW JERSEY
 [Camden Vicinage]

STEPHAN R. BYRD
 Petitioner,

v.

UNITED STATES OF AMERICA
 Respondent,

HONORABLE ROBERT B. KUGLER
 UNITED STATES DISTRICT JUDGE
 CIVIL ACTION NO.: 23-9610-
 RBK

CRIMINAL ACTION NO.: 15-CR
 00409-RBK

[CERTIFICATION OF STEPHAN BYRD]

Stephan Byrd hereby certifies as follows:
 Under penalty of perjury TO WIT:

(1) I am the Petitioner in this matter. I proceed Pro Se, IN NECESSITY. I make this certification in support of the pending "Motion to Vacate, Set Aside, or Correct Sentence" under 28 U.S.C. § 2255 in the above-captioned civil case.

(2) I, Stephan R. Byrd, state that I was appointed Counsel Teri S. Lodge by the Court on July 31, 2019. This was approximately 3 months after trial. I was alerted by the Court that my Counsel Troy Archie Esq was under

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investigation by the Federal Government. However the court and government allowed this attorney to stand in as standby counsel during half the trial, and allowed him to represent me for the second half of the trial.

(3.) I, Stephan R. Byrd, state that I allege, based upon information in the record and belief, that Court Appointed Counsel Teri S. Lodge was CONSTITUTIONALLY INEFFECTIVE On my Direct Appeal as of right.

(4.) I, Stephan R. Byrd, state that I allege, based upon the information in the district court record and belief, that Government Counsel A.U.S.A. Sara A. Aliabadi and A.U.S.A. Jason Richardson both constructively denied me my right to effective assistance of counsel.

(5.) The District Court, Federal Prosecutors, AUSA Sara A. Aliabadi and Jason Richardson (A.U.S.A.) State functioned and locally, actively obstructed my Constitutional rights. This was done to cover up the misconduct of the Federal Agents along with Vineland Police Department of New Jersey.

6.7 I, Stephan R. Byrd, State that I allege, based on the information in the district Court record that Honorable Judge Kwaler was in bad behavior during the proceedings in this case, hereby violating Article III of the United States Constitution and the Due Process Rights of the Defendant Stephan R. Byrd.

7.7 I, Stephan R. Byrd, State that I allege, based on the information in the District Court record that the Honorable Court of Robert B. Kwaler Designated 6 Different Attorneys under the CJA (Criminal Justice Act) to take this case or stand in as Standby Counsel. All of these Attorneys were aware of the egregious misconduct in this case, i.e.

1.) Thomas A. Young : Office of Public Defender

2.) Troy A. Archie Esq.

3.) Peter A. Levin Esq.

4.) Robert C. Wolf Esq.

5.) Justin T. Loughry

b.1 Teri S. Lodge 204

The amount of attorneys designated to this case by the court clearly shows something was wrong. Most defendants based on a statistical analysis aren't able to remove one attorney. This court continuously removed attorneys and hired new ones, in an attempt to find one that would agree to the cover up and an attempt to stop Defendant Mr. Byrd from fighting for his innocence.

7.) I, Stephen R. Byrd, state that I allege based on Federal Documents, that on September 24, 2014, when the F.B.I. and Vineland Police Department went back and rebuilt a two month old crime scene (Stale), they took a spent shell casing to the scene and then alleged to have found a spent shell casing. This is after going into the suspects home. See. Government Exhibit MF-2; Page 2 of 2. as annexed herewith and incorporated as if fully set forth herein.

MF-2 : While on location, I obtained a Garrett brand model Ace 250 metal detector and familiarized myself with the operation of it by reading the user manual.

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I placed a spent shell casing, a United States quarter and a ball point pen on the ground and passed the detector over the items to hear the tones that were made with each type of metal."

So these agents and New Jersey law enforcement took a spent shell casing to a state crime scene 2 months later, knowing the prejudice when they then alleged to have found "a spent shell casing". This Honorable court allowed this shell casing into my trial to prejudice me. It was also done so that the government could charge me with 924(C)(1)'s, because the government had retrieved NO GUNS, and could not show that the guns was operable, so they planted this shell casing to get the 924(C)'s.

8.) I, Stephen R. Byrd, state that I alleged based on Federal Documents, Court Records and Continuous Bad Behavior, that Honorable Judge Kugler is in a Conspiracy with the Federal Government and I have the wherewithal to prove everything with Facts in the record. I am requesting that the Justice Department intervene in this case as they will attempt to deny the \$2255 and possibly a certificate of appealability to make my fight difficult.

On August 28, 2023 at 1:20 p.m. the Court received and filed my HABEAS CORPUS. The Court set the Motion for 9/18/2023 and forwarded the Habeas to the following Government Officials, Andrew Carey, Jason Richardson, and Sara A. Aliabadi. However the Court never sent down a order on September 18, 2023, instead a order didnt come down until November 9th, 2023 after the Petitioner put in a motion to Show Cause. In which then the Court gave the Government 60 days to answer, however they had already had the habeas since August 24, 2023. Then on January 8th 2024 on the deadline the government requested another 75 days, and it was granted on January 17th 2024 by this Honorable Court. This is all in efforts to try and figure out how to cover this case up and now try to protect the district court judge. Notice how Honorable Judge Ruyter informed the Government that they must answer the habeas corpus of Petitioner's Full and Complete. However this Honorable court has acknowledged the misconduct multiple times and ignored it all to protect the Federal and State agents

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I submit that this court has done nothing but present unreasonable conclusions of facts and unreasonable applications of clearly established law in its orders, and decisions.

I, Stephan R. Byrd, declare, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the above stated facts are True and Correct.

Executed on This 4th Day of March
2024,

Respectfully Submitted

Stephan R. Byrd

Stephan R. Byrd

U.S.M.S. 66971-050

U.S.P. Hazelton

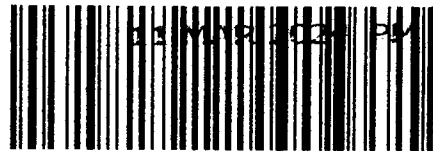
P.O. BOX: 2000

Bruceston Mills, WV
26025

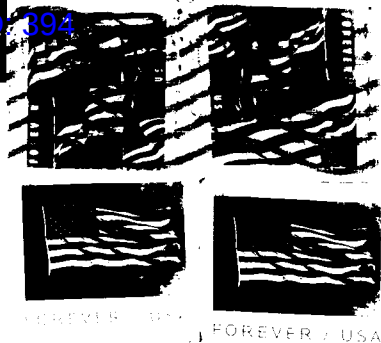
United States District Court
District of New Jersey
(Camden Vicinage)

Stephan H. Byrd
U.S. M.S. 66971-DBD
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C.F.A.

Special Mail

\$540.18

RECEIVED

MAR 15 2024

AT 8:30
CLERK, U.S. DISTRICT COURT

Clerk of Court
Mitchell H. Cohen Bld.
United States Courthouse
4th & Cooper St.
Room 1050

0810135555

Camden, NJ 08101

PAID